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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3290

AN ORDINANCE approving the application of the Seattle Water Department to construct a permanent water pump station located north of N.E. 8th Street and west of 153rd Avenue N.E., as recommended by the Hearing Examiner.

WHEREAS, the Seattle Water Department has applied to the City for a conditional use to construct a permanent water pump station located north of N.E. 8th Street and west of 153rd Avenue N.E.; and

WHEREAS, on January 13, 1983, a public hearing was held thereon by the Hearing Examiner pursuant to notice required by law; and

WHEREAS, on April 1, 1983, the Hearing Examiner recommended approval of said conditional use and made and entered findings of fact and conclusions based thereon in support of his recommendation; and

WHEREAS, a request for reconsideration of the Hearing Examiner's recommendation of April 1, 1983, was filed by the Seattle Water Department; and

WHEREAS, on April 18, 1983, the Hearing Examiner issued his response to the request for reconsideration and entered his Order Upon Reconsideration; and

WHEREAS, on June 16, 1983, the Hearing Examiner held a public hearing to consider further evidence from all parties; and

WHEREAS, on June 30, 1983, the Hearing Examiner recommended to the City Council approval of said conditional use and made and entered findings of fact and conclusions based thereon in support of his recommendation; and

WHEREAS, the City Council concurs in the findings of fact and conclusions of the Hearing Examiner; and

WHEREAS, the City of Bellevue has complied with the requirements of the State Environmental Policy Act and the City Environmental Procedures Ordinance; now, therefore

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Council adopts the findings of fact and conclusions based thereon made and entered by the Hearing Examiner in support of his recommendation to the Council in this matter as set forth in "Findings and Recommendation of the Hearing Examiner, File No. HE-D 82-23," dated April 1, 1983, and "Supplemental Findings and Recommendation," dated June 30, 1983, "In the Matter of the Applications of Seattle Water Department For a Conditional Use, File Nos. HE-D 82-22, HE-D 82-23."

Section 2. The City Council hereby approves the conditional use application of the Seattle Water Department to construct a permanent water pump station located north of N.E. 8th Street and west of 153rd Avenue N.E., and more particularly described as:

The east 100 feet of the south 115 feet of the Southwest quarter of the Southwest quarter of Section 26, Township 25 North, Range 5 East, W. M., in King County, Washington; EXCEPT portion thereof conveyed to City of Bellevue and King County for 148th Avenue Northeast and Northeast 8th by deeds recorded under King County Recording Numbers 4970968, 5586059, 5741044 and 7802020299.

Provided this conditional use is conditioned on full compliance by the owner or owners of the property described herein, their heirs, assigns, grantees and successors in interest, with the terms and conditions of that certain Concomitant Agreement executed by the Seattle Water Department, which has been given Clerk's Receiving No. 8699, and which by this reference is fully incorporated herein.

Provided further that this approval of said conditional use is conditioned on full compliance by the owner or owners, developer and developers, and their heirs, assigns, grantees and successors in interest with the plans and attachments, conditions, commitments, reports and other documents relating to this conditional use, given Clerk's Receiving No. 8700, which are hereby by this reference fully incorporated herein.

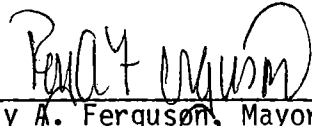
Section 3. The conditional use granted herein is subject to all federal, state and local laws, rules and regulations, including but not limited to Bellevue Land Use Code Sections 20.30.875, 20.30.880 and 20.30.885.

Section 4. This ordinance shall be published by posting it in the three official posting places of the City, and shall take effect and be

in force five days after the date of posting.

PASSED by the City Council this 19th day of September 1983,
and signed in authentication of its passage this 19th day
of September, 1983.

(SEAL)



Roy A. Ferguson, Mayor

Approved as to form:

Linda M. Youngs, City Attorney



Richard Gidley, Assistant City Attorney

Attest:



Marie K. O'Connell, City Clerk

Published Sept 24, 1983